IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

WRIT PETITION NO. 5722 OF 2007

Paramanand Hadibandhu Behera.... Petitioner

versus

Municipal Corporation of Gr.Mumbai..... Respondent.

Shri J.J. Shah for the petitioner.

CORAM; A.P. DESHPANDE, J.
DATED; 05TH SEPTEMBER, 2007

P.C;

1. By the present writ petiiton, the order passed by the City Civil Court is challenged, whereby it allowed the application moved by the third party/owner of the structure for impleading as party defendant under Order 1 Rule 10. The petitioner is in occupation of the premises. He has been served with a notice by the Corporation under section 354-A of the Corporation Act which is subject matter of challenge in the suit. The respondent no.2 claiming himself to be the owner of the structure, approached the City Civil Court with an application to implead him as party defendant. As the court below found that the respondent no. 2 primafacie appears to be the owner of the structure, as his name is jointly recorded in the property card along with the Corporation, has allowed the

application.

2. Perused the order. It does not call for any interference. Hence writ petition is summariy rejected..

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